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FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			ELAHEE, MD S	
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			2645	

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/876,049

Applicant(s)

VAGHI ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 23-42, 70-79, 107 and 108 is/are pending in the application.
- 4a) Of the above claim(s) 12-22, 43-69 and 90-106 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 40-42, 70-79, 107 and 108 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05 & 10.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Election/Restrictions

1. Claims 12-22, 43-69 and 90-106 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 12.

Restriction Requirement

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-11, 40-42, 70-89, 107 and 108, drawn to Call diversion, classified in Class 455, subclass 417.

Group II. Claim 23-39, drawn to Special service and Call alerting, classified in Class 455, subclasses 414.1, 567 respectively.

The inventions are distinct, each from the other because of the following reasons:

3. Inventions Group I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In this instant case, invention Group I has separate utility such as for call forwarding and Group II has separate utility such as for monitoring multiple wireless terminals performed by the base station. Further, monitoring multiple wireless terminals performed by the base station is a unique feature. Each feature has its own patentability. See M.P.E.P. § 806.05(d).

4. Because these inventions are distinct for the reason given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated proper.

5. During a telephone conversation with Samuel W. Ntiros on 04/30/04 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-11, 40-42, 70-89, 107 and 108. Affirmation of this election must be made by applicant in responding to this

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Office action. Claims 23-39 are withdrawn from further consideration by the Examiner, 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. **Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).**

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-3, 5-7, 11, 40, 41, 70-74 and 77-80 are rejected under 35 U.S.C. 102(e) as being anticipated by Torrey et al. (U.S. Patent No. 6,466,799).

Regarding claims 1 and 40, Torrey teaches receiving a call on a wireless phone (abstract; fig.1A; col.2, lines 47-51, col.3, lines 63-67, col.4, lines 1-10).

Torrey further teaches sending the call from the wireless phone to a telephone (i.e., hard-wired telephone) (abstract; fig.1A; col.2, lines 47-51, col.3, lines 63-67, col.4, lines 1-10).

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Regarding claims 2 and 78, Torrey teaches connecting the hard-wired telephone to only receive calls through the wireless phone fig.3B-4B; col.2, lines 47-51, col.3, lines 63-67, col.4, lines 1-10, col.6, lines 4-6).

Regarding claim 3, Torrey teaches generating a dialtone (i.e., artificial dial tone) when a receiver of the hard-wired telephone is activated (col.6, lines 16-23).

Regarding claim 5, Torrey teaches sending a ring signal to the hard-wired telephone when the call is received by the wireless phone (fig.3B; col.6, lines 1-9).

Regarding claims 6 and 73, Torrey teaches detecting a hook-state signal indicating that a receiver of the hardwired telephone has been activated (fig.4B; col.6, lines 48-51).

Torrey further teaches connecting the call to the hard-wired telephone based on detection of the hook-state signal (fig.4B; col.6, lines 48-51).

Regarding claims 7 and 74, Torrey teaches detecting termination of the call based on a hook-state signal indicating that the receiver of the hard-wired telephone has been de-activated (fig.5; col.6, lines 61-67).

Regarding claims 10 and 77, Torrey teaches automatically inherently de-activating a microphone and speaker of the wireless phone when the call is connected (fig.3B; col.6, lines 1-15).

Regarding claims 41 and 71, Torrey teaches the wireless device is one of a wireless phone (fig.1A, element 100).

Regarding claim 70, Torrey teaches a wireless device including a connector 116A (i.e., voice communications port) (fig.1B; col.3, lines 54-63).

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Torrey further teaches an interface unit including a connector which mates with the voice communications port of the wireless device, the connector linked to a telephone (i.e., hard-wired telephone) for conveying a call received by the wireless device to the hard-wired telephone (fig.1B; col.3, lines 54-67, col.4, lines 1-10).

Regarding claim 72, Torrey teaches means for determining when the connector of the interface unit mates with the voice communications port of the wireless device (fig.1B; col.3, lines 54-67, col.4, lines 1-10).

Regarding claim 79, Torrey teaches that the interface unit includes a battery re-charger for the wireless device (col.3, lines 48-53).

Regarding claim 80, Torrey teaches that the connector of the interface unit is connected to a plurality of hard-wired telephones, and wherein a processor of the interface unit controls to which of the hard-wired telephones the call is to be sent (fig.1A; col.3, lines 40-67, col.4, lines 1-10).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4, 81, 82, 84 and 86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Fintel (U.S. Patent No. 6,704,580).

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Regarding claim 4 is rejected for the same reasons as discussed above with respect to claim 2. Furthermore, Torrey fails to teach connecting the hard-wired telephone to receive calls through a public-switched telephone network. Fintel teaches connecting the hard-wired telephone to receive calls through a public-switched telephone network (fig.1; col.2, lines 23-25). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow connecting the hard-wired telephone to receive calls through a public-switched telephone network as taught by Fintel. The motivation for the modification is to have the doing so in order to provide communication with other telephones.

Regarding claim 81 is rejected for the same reasons as discussed above with respect to claim 70. Furthermore, Torrey fails to teach a respective plurality of wireless devices. Fintel teaches a respective plurality of wireless devices (fig.1; col.2, lines 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow a respective plurality of wireless devices as taught by Fintel. The motivation for the modification is to have doing so in order to provide communication with a plurality of wireless devices.

Regarding claim 82, Torrey teaches a call is sent to the hard-wired telephone through one of the connectors (fig.1A; col.3, line 40-col.4, line 10).

However, Torrey fails to teach a processor which controls activation states of the connectors. Fintel teaches a processor which controls activation states of the connectors (col.4, lines 7-13). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow a processor which controls activation states of the

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connectors as taught by Fintel. The motivation for the modification is to have doing so in order to establish a communication link.

Torrey fails to teach that the processor controls activation states of the other connectors to block calls from being conveyed to the hard-wired telephone through the other connectors. Fintel teaches that the processor controls activation states of the other connectors to inherently block calls from being conveyed to the hard-wired telephone through the other connectors (col.4, lines 1-13, col.6, lines 49-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow the processor controlling activation states of the other connectors to block calls from being conveyed to the hard-wired telephone through the other connectors as taught by Fintel. The motivation for the modification is to have doing so in order to provide communication with a particular cellular telephone.

Regarding claim 84, Torrey fails to teach that the interface unit includes a processor which controls a time of activation of the connectors. Fintel teaches that the docket station (i.e., interface unit) includes a processor which controls a time of activation of the connectors (col.5, lines 61-col.6, line 15). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow the interface unit including a processor which controls a time of activation of the connectors as taught by Fintel. The motivation for the modification is to have doing so in order to provide billing information.

Regarding claim 86, Torrey fails to teach that the interface unit includes a graphical interface unit. Fintel teaches that the interface unit includes a display unit 342 (i.e., graphical interface unit) (fig.7; col.8, lines 29-31). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow the interface unit

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including a graphical interface unit as taught by Fintel. The motivation for the modification is to have doing so in order to drive the display through display interface.

11. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of DePani et al. (U.S. Patent No. 6,480,714).

Regarding claim 8, Torrey teaches dialing a telephone number on the hard-wired telephone (fig.3A; col.5, lines 50-57).

Torrey further teaches detecting the dialed telephone number (fig.3A; col.5, lines 50-62).

Torrey fails to teach “confirming validity of the dialed telephone number”. DePani teaches confirming validity of the dialed telephone number (fig.4; col.11, line 66- col.12, line 16). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow confirming validity of the dialed telephone number as taught by DePani. The motivation for the modification is to have doing so in order to provide authentication of the party.

Torrey further fails to teach “automatically connecting the call through a wireless service provider if the dialed telephone number is valid (fig.4; col.11, line 66- col.12, line 16). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow automatically connecting the call through a wireless service provider if the dialed telephone number is valid as taught by DePani. The motivation for the modification is to have doing so in order to connect the call to the cellular telephone.

Regarding claim 9, Torrey fails to teach “determining whether a number of digits in the dialed telephone number equals a predetermined number of digits corresponding to a valid telephone number”. DePani teaches determining whether a number of digits in the dialed

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telephone number equals a predetermined number of digits corresponding to a valid telephone number (fig.4; col.11, line 66- col.12, line 32). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow confirming validity of the dialed telephone number as taught by DePani. The motivation for the modification is to have doing so in order to determine authorized user.

12. Claims 11 and 88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Pfundstein (U.S. Patent No. 6,445,920).

Regarding claims 11 and 88, Torrey fails to teach "authorization information stored on a smart card". Pfundstein teaches authorization information stored on a smart card (fig.2; col.3, lines 36-42). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow authorization information stored on a smart card as taught by Pfundstein. The motivation for the modification is to have doing so in order to provide the identity of the mobile subscriber.

13. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Fuentes (U.S. Patent No. 5,999,810).

Regarding claim 8, Torrey fails to teach "the wireless device is connected to the hard-wired telephone by a wireless connection". Fuentes teaches that the mobile station (i.e., wireless device) is connected to the landbased telephone station (i.e., hard-wired telephone) by a radio channel (i.e., wireless connection) (fig.1). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow the wireless device being connected to the hard-wired telephone by a wireless connection as taught by Fuentes. The motivation for the modification is to have doing so in order to provide radio communication.

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14. Claims 75 and 76 rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Kweon (U.S. Patent No. 6,580,922) and further in view of DePani et al. (U.S. Patent No. 6,480,714).

Regarding claim 75 is rejected for the same reasons as discussed above with respect to claim 8, Torrey fails to teach "a buffer which stores a telephone number dialed on the hard-wired telephone". Kweon teaches that a buffer which stores a telephone number dialed on the hard-wired telephone (fig.1; col.3, lines 16, 17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow a buffer which stores a telephone number dialed on the hard-wired telephone as taught by Kweon. The motivation for the modification is to have doing so in order to provide the temporary storage of the dialed number.

Regarding claim 76 is rejected for the same reasons as discussed above with respect to claims 8 and 75.

15. Claim 83 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Fintel (U.S. Patent No. 6,704,580) and further in view of Kazemzadeh (U.S. Patent No. 5,642,414).

Regarding claim 83 is rejected for the same reasons as discussed above with respect to claim 82. Furthermore, Torrey in view of Fintel teaches when a call received, the processor sends a missed-call signal to the hard-wired telephone when the call sent to the hardwired telephone is terminated. Kazemzadeh teaches when a call received, the processor sends a missed-call signal to the hard-wired telephone when the call sent to the hardwired telephone is terminated (col.1, lines 39-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to modify Torrey in view of Fintel to allow to allow the processor sends a missed-call signal to the hard-wired telephone when the call sent to the hardwired telephone is terminated when a call received as taught by Kazemzadeh. The motivation for the modification is to have doing so in order to restrict the caller's ID from the called party.

16. Claim 85 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Fintel (U.S. Patent No. 6,704,580) and further in view of Numminen et al. (U.S. Patent No. 6,687,499).

Regarding claim 85, Torrey in view of Fintel teaches "allows a user to manually control an activation state of at least one of the connectors". Numminen teaches allowing a user to manually control an activation state of at least one of the connectors (col.11, lines 13-15). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey in view of Fintel to allow a user to manually control an activation state of at least one of the connectors as taught by Numminen. The motivation for the modification is to have doing so in order to set a connector into a desired position.

17. Claim 87 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Fintel (U.S. Patent No. 6,704,580) and further in view of Numminen et al. (U.S. Patent No. 6,687,499) and further in view of Suikkola et al. (U.S. Patent No. 5,678,195).

Regarding claim 87 is rejected for the same reasons as discussed above with respect to claim 85, 86. Furthermore, Torrey in view of Fintel further in view of Numminen teaches "displays information indicative of activation status of the connectors". Numminen teaches displays information indicative of activation status of the connectors (col.5, lines 23-29). Thus, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey in view of Fintel further in view of Numminen to allow displaying information indicative of activation status of the connectors as taught by Numminen. The motivation for the modification is to have doing so in order to detect the activation data.

18. Claim 89 is rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Dohrmann (U.S. Patent No. 6,577,234).

Regarding claim 89, Torrey fails to teach "the interface unit includes a lock". Dohrmann teaches that the interface unit includes a lock (col.9, lines 21-23). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow the interface unit including a lock as taught by Dohrmann. The motivation for the modification is to have doing so in order to provide a locking mechanism.

19. Claims 107 and 108 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torrey et al. (U.S. Patent No. 6,466,799) and in view of Kweon (U.S. Patent No. 6,580,922).

Regarding claims 107 and 108, Torrey teaches inherently a keypad and a microphone (i.e., a transceiver) (fig.1A, item 130).

However, Torrey fails to teach "a memory unit for storing activation information input through said keypad". Kweon teaches that a buffer (i.e., memory unit) for storing activation information input through the keypad (fig.1; col.3, lines 16, 17). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Torrey to allow a memory unit for storing activation information input through the keypad as taught by Kweon. The motivation for the modification is to have doing so in order to provide the temporary storage of the dialed number.

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Torrey further teaches a processor for automatically establishing communications with a wireless service provider based on the activation information, the processor forwarding in-coming calls to the transceiver (fig. 1A; col.2, lines 47-51, col.3, lines 40-67, col.4, lines 1-10).

Conclusion

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kaplan (U.S. Patent 6,396,906) teach Telephone answering system that automatically calls back a caller who has left a message.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE

May 2, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
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